

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 297 be amended to read as follows:

- 1 Page 2, line 5, after "knowingly" insert "**or intentionally**".
- 2 Page 2, line 9, after "knowingly" insert "**or intentionally**".
- 3 Page 2, line 12, after "commits" insert "**application fraud,**".
- 4 Page 3, line 4, before "makes" insert "**or intentionally**".
- 5 Page 3, line 4, after "or" delete "knowingly".
- 6 Page 3, line 7, after "commits" insert "**application fraud,**".
- 7 Page 3, after line 7, begin a new paragraph and insert:
- 8 "SECTION 3. IC 35-43-5-2, AS AMENDED BY P.L.45-2005,
- 9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2006]: Sec. 2. (a) A person who knowingly or intentionally:
- 11 (1) makes or utters a written instrument in such a manner that it
- 12 purports to have been made:
- 13 (A) by another person;
- 14 (B) at another time;
- 15 (C) with different provisions; or
- 16 (D) by authority of one who did not give authority; or
- 17 (2) possesses more than one (1) written instrument knowing that
- 18 the written instruments were made in a manner that they purport
- 19 to have been made:
- 20 (A) by another person;
- 21 (B) at another time;
- 22 (C) with different provisions; or
- 23 (D) by authority of one who did not give authority;
- 24 commits counterfeiting, a Class D felony.
- 25 (b) A person who, with intent to defraud, makes, utters, or possesses

1 a written instrument in such a manner that it purports to have been
2 made:

- 3 (1) by another person;
4 (2) at another time;
5 (3) with different provisions; or
6 (4) by authority of one who did not give authority;

7 commits forgery, a Class C felony.

8 **(c) This subsection applies to a person who applies for a driver's**
9 **license (as defined in IC 9-13-2-48). A person who:**

10 **(1) knowingly or intentionally uses a false or fictitious name or**
11 **gives a false or fictitious address in an application for a**
12 **driver's license or for a renewal or a duplicate of a driver's**
13 **license; or**

14 **(2) knowingly or intentionally makes a false statement or**
15 **conceals a material fact or otherwise commits fraud in an**
16 **application for a driver's license;**

17 **commits application fraud, a Class D felony.**

18 **(d) This subsection applies to a person who applies for a state**
19 **identification card (as issued under IC 9-24-16). A person who:**

20 **(1) knowingly or intentionally uses false information in an**
21 **application for an identification card or for a renewal or**
22 **duplicate of an identification card; or**

23 **(2) knowingly or intentionally makes a false statement or**
24 **otherwise commits fraud in an application for an**
25 **identification card;**

26 **commits application fraud, a Class D felony."**

(Reference is to ESB 297 as printed February 17, 2006.)

Representative Foley